

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEREMY S. SIMS,

Plaintiff,

Case No. 21-cv-12563
Hon. Matthew F. Leitman

v.

CORIZON CORPORATION,

Defendant.

/

ORDER DISMISSING PLAINTIFF'S COMPLAINT (ECF No. 1)
WITHOUT PREJUDICE

Plaintiff Jeremy Sims is a state prisoner in the custody of the Michigan Department of Corrections. On October 21, 2021, Sims filed a *pro se* civil rights Complaint in this Court against Defendant Corizon Corporation pursuant to 42 U.S.C. § 1983. (*See* Compl., ECF No. 1.) The Complaint was almost entirely blank. (*See id.*) Apart from listing the “approximate time [] the events giving rise to [his] claims occurred,” the Complaint neither included any allegations about what happened to him nor why Sims believed that Corizon was responsible for any misconduct. (*Id.*, PageID.4-6.)

On November 4, 2021, Magistrate Judge David R. Grand ordered Sims to show cause within thirty days why his Complaint should not be dismissed for failing to state a claim for which relief could be granted (the “Show Cause Order”). (*See*

Show Cause Order, ECF No. 4.) In the alternative, Magistrate Judge Grand provided Sims thirty days to file an Amended Complaint that sufficiently stated a claim for relief. (*See id.*) Sims did not file any response to the Show Cause Order. Accordingly, on January 25, 2022, the Court dismissed Sims' action. (*See Order, ECF No. 8; Judgment, ECF No. 9.*)

On February 4, 2022, Sims filed a request in which he asked the Court to reinstate his action. (*See Req., ECF No. 9.*) Sims said that he never received the Show Cause Order, and he said that had he received that order, he "would have sent the information to the court[] within the 30 day time frame" identified in the order. (*Id.*, PageID.33.) Based on Sims' representation that he never received the Show Cause Order, the Court granted him one final opportunity to amend his Complaint. (*See Order, ECF No. 11.*) The Court directed Sims to file a First Amended Complaint by no later than April 25, 2022. (*See id.*) And it warned him that if he failed to do so, it would once again dismiss his Complaint.

The Court served Sims a copy of its order directing him to file a First Amended Complaint by mailing a copy of the order to the address Sims provided the Court. (*See Dkt.*) On March 7, 2022, the Court's order returned to the Court as undeliverable. (*See ECF No. 11.*) The Court previously informed Sims that pursuant to Local Rule 11.2, he was required to "promptly file a notice with the Clerk and serve a copy of the notice on all parties whenever [his] address, e-mail address,

phone number and/or other contact information changes.” (*See* Notice and Certificate of Service, ECF No. 6, PageID.25, citing E.D. Mich. Local Rule 11.2.) The Court warned Sims that the “failure to promptly notify the court of a change in address or other contact information may result in the **dismissal** of [his] case.” (*Id.*; emphasis in original).

The return of the Court’s order as undeliverable indicates that Sims has failed to comply with Local Rule 11.2 by informing the Court of his current mailing address. This is not a mere technical violation of the rules. Without a current address, the Court has no way of administering this civil action. Nor has Sims contacted the Court, filed a First Amended Complaint as directed, or taken any other action to prosecute this action.

Accordingly, for all of the reasons stated above, and because Sims has failed to comply with Local Rule 11.2 by updating his current address, **IT IS HEREBY ORDERED** Sims’ Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: August 15, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 15, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126